



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO : Director, Reference Information Center
Chief, Media Bureau

FROM : Daniel M. Armstrong
Associate General Counsel

SUBJECT : *Media General, Inc. v. FCC & USA*, No. 03-1231, *National Association of Broadcasters v. FCC & USA*, No. 03-1232, and *The Network Affiliated Stations Alliance, The ABC Television Affiliates Association, The CBS Television Affiliates Association, and The NBC Television Affiliates v. FCC & USA*, No. 03-1234
Filing of three Petitions for Review in the United States Court of Appeals for the District of Columbia Circuit

DATE : August 13, 2003

This is to advise you that, on August 6, 2003, Media General, Inc. and the National Association of Broadcasters filed individual Petitions for Review and The Network Affiliated Stations Alliance, The ABC Television Affiliates Association, The CBS Television Affiliates Association, and The NBC Television Affiliates filed a joint Petition for Review in the U.S. Court of Appeals for the D.C. Circuit, pursuant to 47 U.S.C. § 402(a), of the following order: *In the Matter of 2002 Biennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, MB Docket No. 02-277, *Cross-Ownership of Broadcast Stations and Newspapers*, MM Docket No. 01-235, *Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets*, MM Docket No. 01-317, *Definition of Radio Markets*, MM Docket No. 00-244, *Definition of Radio Markets for Areas Not Located in an Arbitration Survey Area*, MB Docket No. 03-130, Report and Order and Notice of Proposed Rulemaking, FCC 03-127 (rel. July 2, 2003).

In the 2002 Biennial Regulatory Review of Broadcast Ownership Rules, the Commission, among other things, permitted common ownership of television stations that reach 45% of U.S. households, up from 35%, replaced the ban on newspaper-broadcast station combinations with a set of cross-media limits, changed the market definition used to determine compliance with the local radio ownership rule, and revised the local television multiple ownership rule in various respects. Media General, Inc. is challenging the Commission's decision not to repeal entirely the limits on newspaper-broadcast cross-ownership. The National Association of Broadcasters is challenging the Commission's treatment of the local radio ownership rule and the local television multiple ownership rule. The Network Affiliated Stations Alliance, *et al.* are asking the court to vacate the Commission's decision to raise the national television ownership limit from 35% to 45%.

The Court has docketed these cases as Nos. 03-1231, 03-1232 and 03-1234 and consolidated them. The attorneys handling the litigation of these cases are C. Grey Pash, Jr., Jacob M. Lewis and Nandan Joshi.